IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH FEBRUARY 2007/19TH MAGHA 1928

Bail Appl..No. 867 of 2007()

AGAINST THE ORDER IN LP 33 1995 IN
CP.2/1995 of J.M.F.C.-II,NEYYATTINKARA

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PETITIONER/ACCUSED

ANIL KUMAR, AGED 34,
S/O.SUKUMARAN NAIR, CHITHRALAYAM,
NEAR NEDIYAMCODE SAW MILL, PARASUVAKKAL DESOM,
PARASUVAKKAL VILLAGE.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 8/02/2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 867 of 2006

DATED: 8th February 2007

O R D E R

Petitioner who is the 9th accused in Crime No. 266/92 of Parassala Police Station for offences punishable under Sections 143, 148, 149 and 307 I.P.C. read with Sec. 149 I.P.C., seeks anticipatory bail.

2. The occurrence took place on 8-11-1992. There were altogether 12 accused persons. Consequent on the non-appearance of the petitioner in C.P. 2/1995 on the file of the J.F.C.M.-II, Neyyattinkara, the case against him was split up and transferred to the Long Pending Case Register as L.P. 33/95. The original C.P. case against him was re-filed as C.P.2/1995. Non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. It is for the petitioner to surrender before the J.F.C.M. - II, Neyyattinkara and seek regular bail, particularly, when he has a case that the co-accused in the case have been acquitted after trial . Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within 10 days from today the same shall be considered and disposed of preferably on the same date on which it is filed after examining the explanation offered by the petitioner for his previous non-appearance and also after considering his contention that the co-

accused in the case have been acquitted after trial.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE.

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